

PUBLIC COUNCIL MEETING MINUTES
November 29, 2011

Minutes of the Regular Meeting of Council held in the Council Chambers, City Hall, on November 29, 2011 at 4:15 pm.

MEMBERS PRESENT

Mayor Randy Simms
Deputy Mayor Jim Locke
Councillor Lucy Stoyles
Councillor John Walsh
Councillor Paula Tessier
Councillor Dave Aker
Councillor Andrew Ledwell ⁽¹⁾

STAFF PRESENT

Michele Peach, Chief Administrative Officer
Stephen Jewczyk, Director, Planning & Development
Brian Chmarney, Director, Community Services
Jason Silver, Director, Corporate Services
Mona Lewis, Deputy City Clerk

⁽¹⁾ Sworn in as noted.

Mayor Simms chaired the meeting.

11-11-774 Adoption of Agenda

Motion – Councillor Stoyles /Councillor Aker

RESOLVED THAT the agenda be adopted as presented.

Question called. Motion carried unanimously.

11-11-775 Swearing-In – Councillor Andrew Ledwell

Councillor Andrew Ledwell was officially sworn in as a member of council following the by-election held on November 22, 2011 and assumed his position on council.

Councillor Ledwell extended congratulations to the other candidates (Harry Bartlett and Rose Clarke) as well as expressed his thanks to his family, campaign workers, the many volunteers and the residents who took time to vote. He looks forward to his new position and working with council.

Councillor Ledwell will be the Chair of the Engineering Services Committee and the Member on the Planning & Land Use Development Committee. He will also be the City's representative at the Northeast Avalon Joint Council and NL Regional Economic Development Association meetings.

11-11-776 Adoption of Minutes

Motion – Councillor Walsh/Deputy Mayor Locke

RESOLVED THAT the minutes of the public meeting held on November 15, 2011 be adopted as presented.

Errors & Omissions: None noted.

Question called. Motion carried unanimously.

BUSINESS ARISING ACTION REPORT

No business arose from the previous minutes. The action report was accepted as presented.

PROCLAMATIONS/PRESENTATIONS

None presented.

CORRESPONDENCE

11-11-777 Minister Responsible for the Status of Women
2011 Purple Ribbon Campaign

A letter was presented from the Honourable Charlene Johnson, Minister Responsible for the Status of Women, providing information on the 2011 Purple Ribbon Campaign happening November 25 – December 10, 2011. Council supports the campaign to advance the prevention of violence against women. Council commended the Government for this initiative.

COMMITTEE REPORTS

COMMUNITY SERVICES COMMITTEE REPORT

11-11-778 Athletes Atlantic Ltd.
Smallwood Arena - Lease Agreement

Motion – Councillor Tessier/Deputy Mayor Locke

RESOLVED THAT approval be granted for the Mayor and Chief Administrative Officer to sign the Athletics Atlantic Ltd., lease agreement for the reuse of the Smallwood Arena facility, effective December 1, 2011.

Discussion: Councillor Stoyles advised that she would not be supporting the motion. She believes that the arena should be removed and the area developed for parking to accommodate the increased number of recreational uses at that site. She expressed support of the concept but not the location and does not support entering into an agreement with a private developer.

Other members of council supported the initiative and offered the following comments:

- Project has garnered the support of the community, i.e. letter of support from the Seniors Independence Group.
- Action is being taken to address parking/traffic/egress & access concerns.
- Complement existing programming.

Question called. Motion carried with Councillor Stoyles voting against the motion.

11-11-779 Mount Pearl Marlins
Congratulations

Congratulations were extended to the Mount Pearl Marlins on their placements at recent swim meets.

11-11-780 Youth Action Team
Annual Speak Off & Debate

The Youth Action Team's Annual Speak Off and Debate will be held on Monday, December 5, commencing at 6:30 pm in the Council Chambers. The event will consist of three students from both Mount Pearl Senior High and O'Donel High School.

CORPORATE SERVICES COMMITTEE REPORT

11-11-781 2010 Financial Statements

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the 2010 PSAB compliant financial statements, as audited by the firm Harris Ryan Chartered Accountants, reporting a net debt position of \$20,455,163 and accumulated surplus of \$77,609,245 which includes the net book value of our tangible capital assets totaling \$128,170,097, be approved as presented.

Question called. Motion carried unanimously.

11-11-782 Tender
HP Proliant Server & Rack Mounted Storage Array

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the tender for the provision of a HP Proliant Server as well as HP Storage Works Modular Smart Arrays (storage rack) for the implementation of the City’s Disaster Recovery Plans as well as the Business Continuity plan be award to the lowest, qualified bidder, OnX Enterprise Solutions, in the amount of \$78,328.64 (HST extra).

Question called. Motion carried unanimously.

11-11-783 Invoices for Council Approval

Motion – Deputy Mayor Locke/Councillor Aker

RESOLVED THAT the following invoices be approved for payment:

1.	BSB Electrical Services (Smallwood & Squires ball fields - 10% holdback)	\$ 64,554.80
2.	Century 2K (Data/voice communications equip maintenance)	\$ 11,300.00
3.	Executive Taxi Services Limited (Transportation for summer programs)	\$ 17,245.80
4.	Case Atlantic (Hydraulic Breaker)	\$ 17,967.00
5.	Platinum Construction Ltd (Greenwood Cres Bridge Upgrade; claim No.2)	\$ 92,905.24
6.	East Coast Converters (Leaf promo packages)	\$ 7,232.00
7.	Modern Paving Ltd. (2010 Street Upgrading; Progress Claim No. 5)	\$ 354,670.01
	TOTAL	\$ 565,874.85

Question called. Motion carried unanimously.

ECONOMIC DEVELOPMENT, TOURISM & COMMUNICATION COMMITTEE

11-11-784 Lighting of ‘The Source’ Sculpture
Centennial Square

Motion – Councillor Stoyles/Councillor Walsh

RESOLVED THAT the proposed lighting of ‘The Source’ be approved at an estimated cost of \$3,900 plus HST, with installation to be arranged in the spring of 2012.

Discussion: It was noted that the quotation was provided by Vigilant Technical Sales, a company that has provided lighting for a number of the artist's sculptures.

Question called. Motion carried unanimously.

ENGINEERING SERVICES COMMITTEE

11-11-785 Status of Engineering Projects

Council was provided a status report on the engineering projects, both completed and ongoing.

It was suggested that the Committee meet with NF Power officials to discuss outstanding projects and plans for completion.

11-11-786 Letter from Department of Municipal Affairs
Approval to Award Tender – 2011 Street Upgrading Program (CP1)

Council was advised that the Provincial Government (Department of Municipal Affairs) has provided approval for the City to award the tender for the 2011 Street Upgrading Program, (CP1) to Modern Paving for the bid amount of \$1,781,856.89.

11-11-787 Fleet Street – “No Parking”

Item deferred.

11-11-788 Beclin Phase 1 Development – Approval of Total Performance

Motion – Councillor Ledwell/Councillor Stoyles

RESOLVED THAT approval be granted to issue the Total Performance Certificate for the Beclin Industrial Park Phase 1 infrastructure development.

Question called. Motion carried unanimously.

PLANNING AND LAND USE DEVELOPMENT COMMITTEE

11-11-789 Public Transit Study
Review of Proposals

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Mount Pearl Public Transit Study be awarded to Dillon Consultants at an estimated project cost of \$59,778.00 plus HST.

Discussion: It was noted that this study will consider the enhancement of public transit in the City of Mount Pearl, including taxi services, and will take 16 weeks to complete.

Question called. Motion carried unanimously.

11-11-790 Educational Use – Discretionary Use – DA11-00892
Emergency Response Concepts Inc.
51 Dundee Avenue

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the application by Emergency Response Concepts Inc., to occupy one of the two-tenant units at 51 Dundee Avenue for safety training, be approved and that a development permit be issued subject to the conditions set out by the City Inspector, the Finance Division, and the Planning and Development Department outlined in the November 24, 2011 committee report.

Question called. Motion carried unanimously.

11-11-791 Development Permit List

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT the Development Permit list for the period of November 10 - 25, 2011 be accepted as presented.

Question called. Motion carried unanimously.

11-11-792 Building Permits

Motion – Councillor Aker/Councillor Ledwell

RESOLVED THAT building permits issued for the period of November 12 -26, 2011, showing a total construction value of \$33,388,576.00, be approved as presented.

Question called. Motion carried unanimously.

NEW BUSINESS

11-11-793 Mount Pearl Hockey Dads – Fundraiser

Councillor Aker advised that the Hockey Dads are holding a fundraiser (selling LIVESTRONG bracelets) in support of the family of a long-time Hockey Dad.

11-11-794 Snowclearing

Councillor Aker commented on the snowclearing efforts by City staff following the recent snowfall, in particular noting the clearing of Mount Carson Avenue. He encouraged drivers to install winter tires on their vehicles.

11-11-795 NF Power

Councillor Aker requested that NF Power be contacted to determine the status of the installation of lights in the new section of Mount Carson Avenue (formerly Grangel Road area).

11-11-796 Parade & Tree Lighting

Councillor Tessier reminded the public that the Parade and Tree Lighting will be held on December 3 commencing at 10:00 am and 6:30 pm respectively.

11-11-797 Pets

Councillor Tessier reminded residents not to leave their pets out in the cold, noting that in accordance with the Animal Health & Protection Act, anyone found guilty of neglecting their animal can be subject to a fine.

11-11-798 Hedge – Bannister Street/Churchill Avenue

In response to Councillor Stoyles, it was noted that the property owner has been contacted and advised that the hedge is to be removed, and if not done within two weeks, the City will remove it.

11-11-799 MNL – Avalon Regional Meeting

Councillor Stoyles advised that the MNL Avalon Regional Meeting will be held at Mount Pearl City Hall on December 10 commencing at 9:00 AM.

11-11-800 DARE Program – Newtown Elementary

Councillor Stoyles advised that she attended the DARE Program Graduation recently held at Newtown Elementary for Grade Six students. She noted that the City is a supporter of this program and provides financial assistance.

11-11-801 Northeast Avalon Joint Council (NEAJC)

Councillor Stoyles advised that the next meeting of the NEAJC is scheduled for December 14 in Mount Pearl. She advised that a new executive was elected and requested that a letter of congratulations be forwarded to Chairperson Sterling Willis and other members.

11-11-802 Sympathy

Councillor Stoyles requested that a letter of sympathy be forwarded to the family of the late William Trainer, a long time resident of Mount Pearl.

11-11-803 Snowclearing Regulations

Councillor Stoyles reminded residents that on-street parking is prohibited commencing December 1 to March 31 between the hours of 1:00 am and 8:00 am as well during a snowstorm or for 12 hours thereafter. A minimum fine of \$30 can be issued.

11-11-804 Covering – Household Garbage

Councillor Stoyles advised residents that household garbage does not have to be covered from December 1 – March 31.

11-11-805 Fine – Snowclearing Regulations

Councillor Walsh indicated the fine may not be an adequate deterrence, and suggested a review by the Community Services Committee.

11-11-806 Snowclearing

Councillor Walsh advised that the reversible blades on snowclearing equipment had been used; however, further direction to staff is required on the protocol for clearing cul de sacs and one way streets. He also advised that clearing of sidewalks is ongoing.

11-11-807 Meeting – Eastern School District

Councillor Walsh advised of a meeting with Eastern School District officials to discuss the exits from the Ruth Avenue schools' parking lots. District officials are supportive of undertaking a traffic study on a cost sharing basis with the City subject to receiving funding from the Province.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:25 pm on a motion by Councillor Ledwell and seconded by Councillor Walsh.

Chairperson

Deputy City Clerk